

CORRESPONDENCE CONTROL
OUTGOING LTR. NO.



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Contractor to U.S. Department of Energy

89 RF 2960

DIST.	
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BAUER, C.P.	
ERFURDT, R.J.	
HEWITT, E.R.	X
HOOD, R.C.	
DEKER, S.H.	
KINZER, J.E.	
KIRBY, W.A.	
McNETT, J.F.	
MEYERS, G.W.	
ROECKER, J.H.	
SHANNON, W.M.	
WESTON, W.F.	X
WOZNIAK, B.D.	
YOUNG, E.R.	

AUG 30 1989

89-RF-2960

Edward S. Goldberg
Acting Area Manager, RFO

INTERIM REMEDIAL ACTION ON THE 881 HILLSIDE

In order to meet the schedule set in the Mutual Cooperation Agreement, interim remedial action on the 881 Hillside must commence by September 30, 1989. The milestones to accomplish that are:

- * Submit Interim Remedial Action Plan (IRAP) to EPA on September 1, 1989
- * Revise the Environmental Assessment (EA) document to incorporate comments from EH-25. Resubmit the EA supplement to EH-25 along with the revised IRAP - the schedule is dependent on receipt of and scope of the comments.
- * If a Finding of No Significant Impact (FONSI) is appropriate, it must be issued prior to September 22, 1989. The EA document would then be sent to EPA and CDH as a supplement to the IRAP, but their concurrence would not be sought prior to implementation of the interim remedial action.
- * Begin construction on the interim remedial action, September 25, 1989.

On Thursday, August 17, 1989 Rockwell received twelve pages of DRAFT comments on the Environmental Assessment, which included comments on the IRAP. In a conference call on Monday, August 21, 1989 the comments were discussed with EH-25. There were several issues resulting from the comments, some of which were settled. We are awaiting further clarification from them on two technical comments. After reviewing the present schedule, the following issues remain:

- * EH-25 intends to review the EPA comments on the IRAP or the final IRAP prior to issuing a final decision on the EA. The time for this review will put us over the September 30, 1989 start date if document revision has not already done so.
- * Does the FONSI, if appropriate for this action, have to be

ADMIN RECORD

REVIEWED FOR CLASSIFICATION/UCNI

By [Signature]
Date 3/13/92

A-0001-000319

BETCHER, D.H.	
CARNIVAL, G.J.	
FERRERA, D.W.	
HARMAN, L.K.	
HEBERT, J.L.	
HOEY, J.B.	
HOFFMAN, R.B.	
KLAMANN, R.L.	
KRIEG, D.M.	
LOUDENBURG, G.E.	
McKINLEY, K.B.	X
NAIMON, E.R.	
NEWBY, R.L.	
TURNER, W.L.	
VELASQUEZ, R.N.	
ERICK, L.W.	X
GREENGARD, X.	
ARMSTRONG, M.X.	
CORRESPONDENCE CONTROL	X
CONTRACT ADMIN.	
HURTT, D.X.	

CLASSIFICATION	
UNCLASSIFIED	X
CONFIDENTIAL	
SECRET	

AUTH CLASSIFIER SIG.

W.F. [Signature]

DATE 8-25-89
IN REPLY TO LTR. NO.

DEC 1

LTR APPROVALS
KBM - KM

W.F. [Signature]

ORIG. & REPLY TO LTR. NO.
WOF/dl

published in the Federal Register? Must that occur prior to implementing the interim remedial action? This is another potential schedule impact.

- * The comments are DRAFT, does this mean that they may change? or are we to assume they will remain unchanged and initiate efforts to incorporate them? In the conference call EH-25 indicated that they were trying to further clarify some of the statements, and were awaiting approvals.
- * The comments request assessments not previously requested in the four rounds of reviews by DOE. This will also impact the preparation schedule.
- * The IRAP has already been submitted to EPA, and the next submittal will be in response to their comments. They may approve the document and proposed action without further revisions by DOE. However the additional information requested in that document by EH-25 may elicit further comments. EPA and CDH should be advised of the strategy for the two documents, and the source of the changes made in the IRAP in response to EH-25 comments.
- * It is apparent that EH-25 intends the public comment period for the IRAP to include the EA. The schedules for completion of these two documents may not allow that to happen. It is impossible to commit to a schedule for completing the EA supplement until the two technical issues (one concerning a requested reference, the other concerning monitoring technology for the treatment facility). And, what will be the mechanism for responding to public comments on the EA supplement?
- * Included in the recently proposed NEPA categorical exclusions for RCRA and CERCLA cleanup actions, is the statement, "DOE will use these categorical exclusions, pending final adoption or rejection of the proposed amendment." In the interest of meeting the Mutual Cooperation Agreement schedule for the interim remedial action, can we apply this categorical exclusion?

The two remaining technical issues and scope and volume of the comments from EH-25, in combination with their timing make it difficult to complete the documents on the schedule described above. Initiation of the interim remedial action will not be initiated by September 30, 1989 due to these additional requirements of DOE is in jeopardy.

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Please be reminded that two rounds of DOE/RFO comments on the Environmental Assessment were incorporated prior to submitting the document to DOE/AL. The document was then revised in response to two rounds of comments from DOE/AL prior to submitting it to EH-25. Rockwell has been extremely responsive on comments, revisions and requests from DOE pertaining to this document.

It is imperative that the DOE agree on the requirements for implementing the interim remedial action by applying the NEPA categorical exclusion, or finalizing the EA, issuing a decision on the proposed action, and responding to public comments. If there are further questions, please contact me on 4361.

A handwritten signature in black ink, appearing to read 'WFS', is positioned above the typed name of Dominick J. Sanchini.

Dominick J. Sanchini
President
Rocky Flats Plant

Orig. and 1 cc - E. S. Goldberg